

### **REMARKS**

Reconsideration of this application and withdrawal of the rejections set forth in the Office Action mailed December 11, 2007, is requested in view of the amendments above and the following remarks. Claims 1-12 were pending and at issue in this application prior to this amendment. By this amendment, Claim 1 has been amended and Claim 7 has been canceled. No new matter has been added.

#### **I. CLAIM REJECTIONS UNDER 35 U.S.C. § 102 OVER WALLACE ET AL.**

Claims 1-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Wallace et al. (U.S. Patent No. 6,322,576). In order to anticipate a claim under § 102(b), a single prior art reference must disclose, either expressly or inherently, each and every limitation of the claimed invention. Applicant respectfully submits that this rejection should be withdrawn because Schaefer et al. does not disclose, either expressly or inherently, Applicant's claimed invention as amended herein. Applicant has amended claim 1 to require that the vaso-occlusive device have loops in which successive loops lie in different planes which form an angle between them, in which each of the four successive loops comprises, wherein each of the four successive loops comprising a helical form having 1.5 to 3.5 rotations about its axis. Neither Wallace et al., nor the other cited prior art, teaches or discloses such a vaso-occlusive device.

One embodiment of Applicant's claimed invention as embodied in claim 1 as amended, is shown in Fig. 4 of the present application. Figures 3-5 of Wallace et al., the figures relied on by the Examiner in the Office Action, clearly do NOT show loops having four successive loops which lie in different planes, in which each of the loops comprises a helical coil having 1.5 to 3.5 rotations. It appears that a fair estimate of the loops of Wallace et al. have at most 1 rotation.

Accordingly, claim 1 is not anticipated by Wallace et al. and this rejection should be withdrawn. Claims 2-6 and 8-12 depend from claim 1, and are therefore not anticipated by Schaefer et al. for at least the same reasons applicable to claim 1.

**CONCLUSION**

Any claim amendments which are not specifically discussed in the above remarks are not made for reasons of patentability, do not affect the scope of the claims, and it is respectfully submitted that the claims satisfy the statutory requirements for patentability without the entry of such amendments. These amendments have only been made to increase claim readability, to improve grammar, or to reduce the time and effort required of those in the art to clearly understand the scope of the claim language.

In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the Examiner's rejections have been overcome. Accordingly, allowance is earnestly solicited. If the Examiner feels that a telephone interview could expedite resolution of any remaining issues, the examiner is encouraged to contact Applicant's undersigned representative at the phone number listed below.

Respectfully submitted,  
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